

Appl. No. 10/727,778

Atty Dkt. No. 114214-005

Response to Office Action mailed Feb. 8, 2005

REMARKS

The Office Action was issued on pending claims 1-8. Claims 1-8 stand rejected. In this Response, no claims have been amended, new claims 9-12 have been added, and no claims have been cancelled. Thus, claims 1-12 are pending in the application.

Applicant invites the Examiner to call Applicant's Representative to discuss any issues with this application.

Claim Rejections – 35 USC §103(a)

In Office Action paragraph 4, claims 5-8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Okeya et al. (US 5,728,448) in view of Crandall (US 6,066,384). In Office Action paragraph 5, claims 1-4 were rejected under 35 U.S.C. §103(a) as being unpatentable over Suzuki et al. (US 4,922,585) in view of Shusta et al. (US 6,416,188 B1). Applicant respectfully disagrees.

Initially, Applicant notes the reference to Shusta et al. (US 6,416,188 B1) at the bottom of page 3 of the Office Action in the §103 rejection of claims 1-4 appears to be a clerical error. The explanation of the rejection refers to Crandall (US 6,066,384) instead of Shusta et al. Also, Shusta et al. (US 6,416,188 B1) is not a cited reference of record. Apparently, the rejection should have referred to Crandall instead of Shusta et al. and Applicant responds to the Office Action accordingly.

Also, the reference to Okeya in the fourth line of page 4 of the Office Action appears to be an error and should have been Suzuki, because Suzuki is the reference relied on in that rejection. Applicant responds to the Office Action accordingly.

According to independent claim 1, the present invention is directed to a reflective slide fastener containing retroreflective materials applied to the surfaces of the fastener tapes and/or coupling elements, and according to independent claim 5, the present invention is directed to a reflective tape. The reflective slide fastener, as claimed in claim 1, calls for the retroreflective material applied to the surfaces of the fastener tapes and/or coupling elements to be adapted to allow the color of the fastener tapes and/or coupling elements to be seen therethrough. Also, the reflective tape, as claimed in claim 5, calls for the retroreflective material in the tape to be adapted to allow the color of the tape to be seen therethrough.

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Applicant respectfully submits none of the references relied on in the Office Action to reject the claims disclose or suggest such features.

As acknowledged in the Office Action, both Okeya et al. and Suzuki et al. fail to disclose that the reflective material allows the color of the substrate to be seen therethrough.

Turning to Crandall, the Office Action cites to the description at column 8, lines 57-59 of Crandall for an assertion that the reflective material of Crandall is transparent or translucent. Applicant respectfully disagrees. The Crandall description at column 8, lines 57-59 is directed to a dielectric mirror material as an alternative to a metal reflective layer. See the entire paragraph of Crandall at column 8, lines 27-62. Further, the Crandall reflective metal layer referred to in the Office Action (citing to column 8, lines 12-26 of Crandall), is a metal such as aluminum, silver, chromium, nickel, and magnesium, and such a metal compound as aluminum oxide and aluminum hydroxide are not transparent or translucent and also are not permeable to light. If a retroreflective material containing a reflective metal layer made of such a metal or metal compound is applied to the surface of a fastener tape, it would not be possible to see the color of the fastener tape through the retroreflective material.

On the contrary, since the retroreflective material used in the present invention contains a reflective layer formed from a metal compound which has permeability to light, when it is applied to the surface of the fastener tape, it is possible to see the color of the fastener tape through the retroreflective material.

Thus, Applicant submits that the §103 rejections should be withdrawn.

New Claims

New claims 9-12 have been added and are supported by the application as originally filed. Claims 9 and 11 are supported by Figs. 7 and 8 and the corresponding description in the specification. Claims 10 and 12 are supported by the specification at page 12, lines 14-17. Thus, no new matter has been added.

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CONCLUSION

For the foregoing reasons, Applicant submits that the patent application is in condition for allowance and requests a Notice of Allowance be issued.

Respectfully submitted,

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